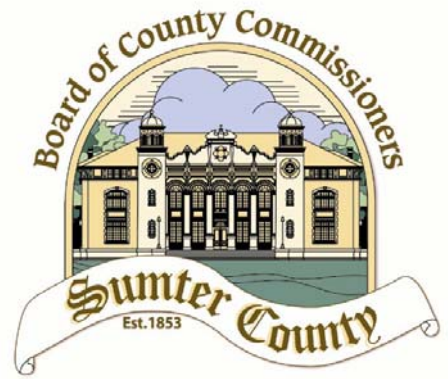


# ***Board of County Commissioners***

## ***Division of Planning & Development***

### **Code Compliance Department**

209 North Florida Street, Room 307 • Bushnell, FL 33513 • Phone (352) 793-0270 • FAX: (352) 793-0274  
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevelop>



## **CODE ENFORCEMENT BOARD**

***April 9, 2007***

The regular meeting of the Code Enforcement Board of Sumter County, Florida, was called to order on Monday, April 9, 2007, at 6:00 PM, followed by the Pledge of Allegiance.

The following Board members were present: Chairperson-Horton Barnes, Tommy Messer, Cheryl Barnes, Drexel Clark, and Terry Pasko.

Board members Charles Castle and Dixie Ruzzo (excused) were absent.

Present from Code Compliance were Paul Jochum-Code Compliance Coordinator, Al Folden-Code Compliance Inspector, Janice Love-Code Compliance Inspector, and Alysia Akins-Code Enforcement Board Secretary.

Lee Hawkins, attorney for Sumter County Code Compliance Inspectors, was present.  
Randall Thornton, attorney for the Code Enforcement Board, was absent.

Mrs. Barnes made a motion to approve the minutes from the March 12, 2007 meeting.  
Mr. Messer seconded the motion and the motion carried.

Mr. Folden, Ms. Love, and Mr. Jochum were sworn in.

### **Old Business:**

The following cases have been sent to the county attorney for foreclosure:

**CE2005-0324/Schott**

**CE2006-0250/Libecap**

**CE2006-0333/Noell**

The following case has a lien filed:

**CE2006-0547/Disilvio**

The following case submitted a request for an extension:

**CE2007-0003/Reasch**

Mr. Jochum explained a written request for a 30-day extension, dated April 6, 2007, was received today, April 9, 2007, in regards to the building permit order. Mr. Jochum explained the request stated a licensed contractor and engineer had been obtained and the additional time was being requested in order for building plans to be prepared and submitted. The Board's order and existing violations were discussed. The Board discussed the extension request policy in effect.

Mrs. Barnes made a motion to waive the 15-day requirement for extension requests to be received.  
Mr. Pasko seconded the motion and the motion carried.

Mrs. Barnes made a motion to approve the request for a 30-day extension, starting April 9, 2007, for obtaining the building permit **ONLY**. All other violations need to be corrected as requested in the original order. Mr. Messer seconded the motion and the motion carried.

**New Business:**

The following cases have complied:

**CE2006-0796/Veit**

**CE2007-0042/Sembower**-An affidavit of Pre-Hearing Compliance was submitted into the record.

**CE2007-0068/Russell**

**Case: CE2006-0366**

**Owner Name: Juan Jr. and Amber Leiva**

**Location Address: 12420 CR 227/Oxford**

**Parcel: C11=038/OR-1573, PG-722**

**Code Violations: 13-713(a), 13-713(d), 13-713(e), 13-713(i)(1)(a-f), and 13-728**

The Respondent, Juan Leiva, Jr., and the Respondent's father, Juan Leiva, were present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified her initial inspection was on 6/8/06. Ms. Love testified 4/9/07 was her last visit to the property, and the Respondents were not in compliance due to running a business and using the property as a staging area. Ms. Love submitted photographs into the record that were taken on 6/8/06, 1/24/07, and 4/9/07 reflecting the violations. Ms. Love testified homestead exemption is filed on the property. Ms. Love testified she been in contact with Mr. Leiva regarding the violations. Ms. Love explained a countertop business is operating in a detached building on the residential property, while a new building is under construction in a commercial area.

Ms. Love recommended the property be brought into compliance within 30 days by removing the business from this location, and paying staff costs in the amount of \$510.48, or a \$75 daily fine be ordered by the Board after the date for compliance.

Mr. Leiva, Jr. testified the new building is complete; however, is awaiting as-built approval from the county engineer before a Certificate of Occupancy (C of O) will be issued so he can relocate his business. Mr. Leiva testified he has spoken with Aimee Webb, Sumter County Development Coordinator, regarding issuing a temporary C of O. Mr. Leiva testified the previous site plan submitted reflected extra concrete and more retention area than was required; therefore, revised plans showing extra drainage has been submitted. Ms. Love testified she had also spoken with Mrs. Webb, who confirmed the as-builts were submitted to the county engineer for approval.

Mr. Messer made a motion to order the Respondent to bring the property into compliance within 30 days by ceasing and desisting all business operations and paying staff costs in the amount of \$510.48, or a \$75 daily fine will be assessed if found in non-compliance after the ordered date. Mrs. Barnes seconded the motion and the motion carried.

Mr. Leiva discussed the problems they had regarding being unable to locate available space to lease while their building was under construction. The Board advised Mr. Leiva, Jr. to inform the Planning Department of the Code Board's order.

**Case: CE2006-0710**

**Owner Name: Louis W. and Juanita D. Coots**

**Location Address: 144 CR 494A/Lake Panasoffkee**

**Parcel: J16A071/OR – 626, PG – 795**

**Code Violations: 13-364(B)(2)(E), 13-763(e)(3), 6-104(2), 6-104(4), and 13-E-312 SHC 305.14**

The Respondent, Juanita Coots, was present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified 4/9/07 was her last visit to the property, and the property is not in compliance. Ms. Love submitted photographs into the record that were taken on 11/3/06, 1/12/07, and 4/9/07 reflecting the violations. Ms. Love testified her initial inspection was on 11/3/06. Ms. Love testified she has been in contact with Mrs. Coots and her sons regarding the violations. Ms. Love also testified homestead exemption is filed on the property. Ms. Love testified Mrs. Coots does not reside on the property; however, her two sons live there. Ms. Love testified one son resides in the RV and the other son resides in the mobile home. Ms. Love discussed the half-built shed, construction materials, and four inoperable vehicles on the property. Ms. Love testified repair and maintenance work has been performed on the mobile home, and it is now in compliance.

Ms. Love recommended the Respondents remove the inoperable vehicles, trash, debris, construction materials, and travel trailer from the property within 30 days. Ms. Love also recommended costs in the amount of \$330.48 be paid, along with a \$25 daily fine if found in non-compliance after the ordered date.

Mrs. Coots testified the RV was placed on her property without her knowledge since she lives in Leesburg, Florida. Mrs. Coots testified she had explained to her sons they needed to clearout the property. Mrs. Coots testified she does not know who the RV is registered to, and her son can't move it into a travel park without a current tag and registration. Mrs. Coots discussed her deceased husband's medical history. The Board inquired about any available county resources to assist Mrs. Coots.

Mrs. Barnes made a motion to order the Respondents to remove the RV, construction materials, trash, debris, inoperable vehicles, and half-built shed from the property within 30 days. Staff costs were ordered to be paid in the amount of \$330.48 within 30 days, along with a \$20 daily fine if found in violation after the ordered date. Mr. Messer seconded the motion and the motion carried.

**Case: CE2007-0066**

**Owner Name: Reginald and Cindy Sullivan**

**Location Address: 1597 CR 434/Lake Panasoffkee**

**Parcel: F32Q080/OR – 1218, PG – 235**

**Code Violations: 21-1(A), 6-104(2), and 13-E-312 SHC 307.4**

The Respondents, Reginald and Cindy Sullivan, were present and sworn in. Ms. Love testified the Notice for Hearing was sent by certified mail. Ms. Love testified 4/9/07 was her last visit to the property, and the property is not in compliance. Ms. Love submitted photographs into the record that were taken on 2/9/07, 3/14/07, and 4/9/07 reflecting the violations. Ms. Love testified her initial inspection was on 2/9/07. Ms. Love testified she has been in contact with Mrs. Sullivan regarding the violations. Ms. Love also testified homestead exemption is filed on the property. Ms. Love testified it appears construction debris, wood, fence materials, pallets, motorcycle parts, and household garbage are being stored under a tarp on the property.

Ms. Love recommended the Respondents be ordered to comply by removing the trash and debris within 30 days and paying all staff costs due in the amount of \$285.09, or a \$25 daily fine be ordered for each and every day the property remains in violation.

Mr. and Mrs. Sullivan testified they have spoken with the Sumter County Building Department and were informed a deck less than 30" in height did not require a permit, which is what the construction materials were for. Mr. and Mrs. Sullivan submitted photographs into the record. Mr. and Mrs. Sullivan testified they had replaced their roof and some of their flooring due to hurricane damage. Mr. Sullivan testified there were pole butts, a cement mixer, motorcycles, and plywood under the tarp. Mr. and Mrs. Sullivan submitted a petition signed by their neighbors stating the construction materials

on the property are being used for renovation purposes. The Board discussed the renovations being made and recommended a building permit be obtained.

Mrs. Barnes made a motion to order the Respondents to bring the property into compliance by obtaining the required renovation permits, removing the construction debris, and paying all staff costs due in the amount of \$285.09 within 30 days; failure to bring the property into compliance and paying staff costs due within 30 days will result in a fine in the amount of \$25 per day for each and every day the property remains in violation. Mr. Messer seconded the motion and the motion carried.

**Case: CE2006-0712**

**Owner Name: Lonnie and Opal Glover**

**Location Address: 8421 CR 643/Bushnell**

**Parcel: M30B128/OR – 980, PG – 684**

**Code Violations: 6-104(5), 6-104(2), and 6-104(1)**

The Respondents were not present. Mr. Folden testified the Notice for Hearing was sent by certified mail; however, was returned; therefore, the property was posted on 3/28/07. Mr. Folden testified 4/9/07 was his last visit to the property, and the property is not in compliance due to the property needing to be mowed and maintained. Mr. Folden submitted photographs into the record that were taken on 11/21/06, 12/12/06, 1/10/07, 1/16/07, 2/7/07, 3/7/07, 3/28/07, and 4/9/07 reflecting the violations. Mr. Folden testified his initial inspection was on 11/8/06. Mr. Folden testified he spoke with Mrs. Glover in December of 2006. Mr. Folden also testified homestead exemption is not filed on the property. Mr. Folden testified he attempted to notify the mortgage holders of the violations; however, all notices were returned unclaimed. Mr. Folden testified no one resides at the property. Mr. Folden testified Mrs. Glover informed him they had not made a mortgage payment in the last five years.

Mr. Folden recommended the Respondents be ordered to comply by mowing and maintaining the property, and paying all staff costs due in the amount of \$470.51, or a \$50 daily fine be assessed.

Mrs. Barnes made a motion to order the Respondents to bring the property into compliance by mowing and maintaining the property within 30 days and paying staff costs due in the amount of \$470.51; failure to bring the property into compliance and paying staff costs due within 30 days will result in a fine in the amount of \$100 per day for each and every day the property remains in violation. Mr. Messer seconded the motion and the motion carried.

The foreclosure process was discussed. Mr. Folden informed the Board this is a habitual offender.

**Case: CE2006-0687**

**Owner Name: Juan and Maria Orona**

**Location Address: 14081 CR 737/Webster**

**Parcel: S25=038/OR – 247, PG – 418**

**Code Violation: 13-365(B)(1)**

Mr. Jochum requested this case be tabled until June 11, 2007.

Mrs. Barnes made a motion to table this case until June 11, 2007. Mr. Messer seconded the motion and the motion carried.

There being no further business, Mrs. Barnes made a motion to adjourn. Mr. Messer seconded the motion and the motion carried.

The meeting adjourned at 7:40 PM.

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Chairperson

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Recording Secretary